

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR TWO YEARS AT 370 SCOOTER POINT; (ANTHONY ST. GEORGE, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 10-27-03 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☐

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR TWO YEARS AT 370 SCOOTER POINT; (ANTHONY ST. GEORGE, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR TWO YEARS AT 370 SCOOTER POINT; (ANTHONY ST. GEORGE, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #2, Morris)

(Earnest McDonald, Principal Coordinator)

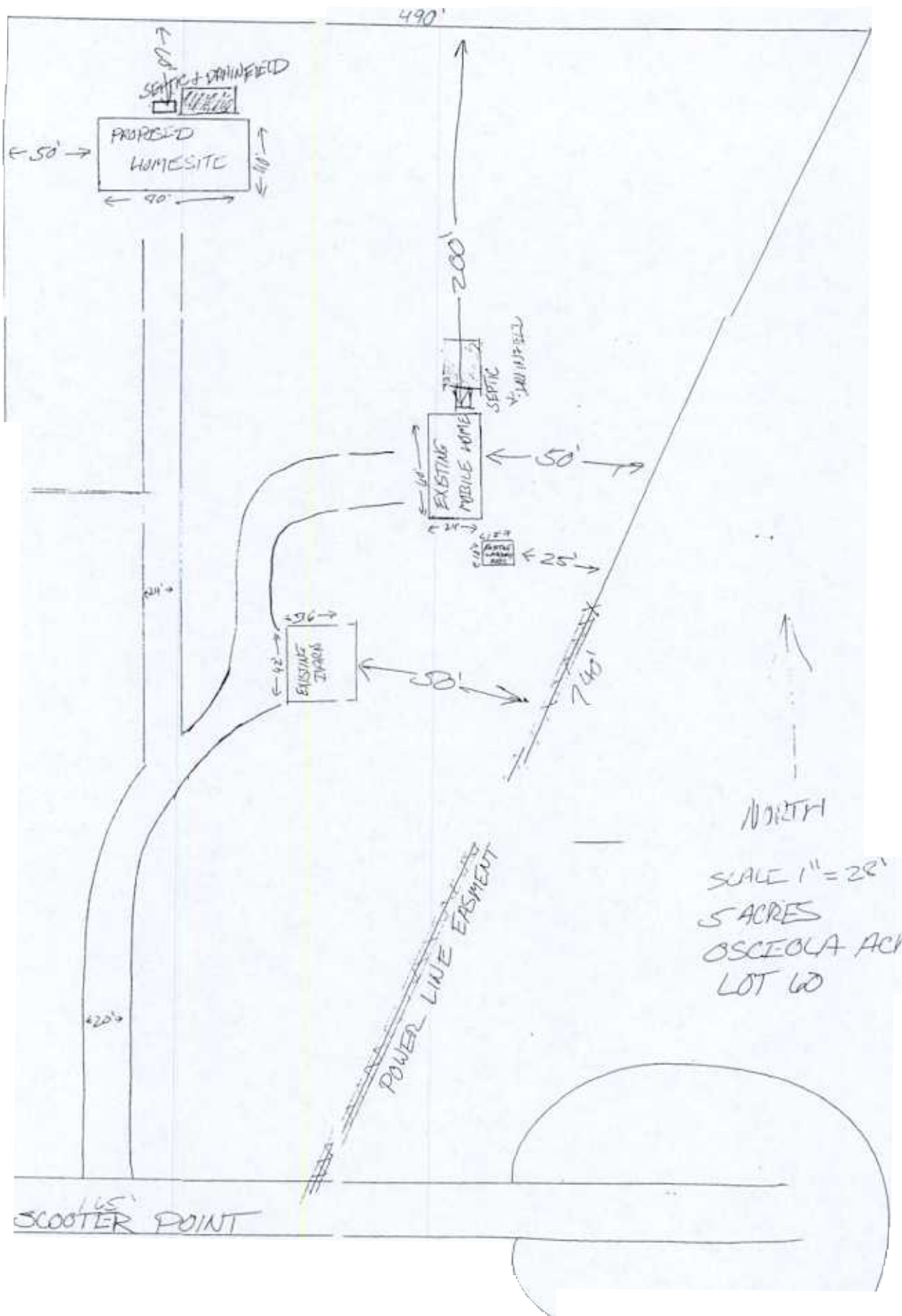
GENERAL INFORMATION	ANTHONY ST. GEORGE 370 SCOOTER POINT OVIEDO, FL 32765	A-5 DISTRICT, LDC SECTIONS 30.43(b)(2), 30.104(a), 30.103 & 30.1401
BACKGROUND REQUEST	<ul style="list-style-type: none"> • TO ALLOW ADDITIONAL TIME FOR THE CONSTRUCTION OF A SINGLE-FAMILY HOME, THE APPLICANT REQUESTS APPROVAL OF A SPECIAL EXCEPTION FOR THE CONTINUED PLACEMENT OF AN EXISTING MOBILE HOME (1972 MODEL) IN THE A-5 DISTRICT FOR TWO YEARS. • THE EXISTING MOBILE HOME WAS APPROVED BY SPECIAL EXCEPTION FOR A PERIOD OF FIVE YEARS BY THE BOARD OF ADJUSTMENT (BOA) IN 1986. • THE TEMPORARY OCCUPANCY OF A MOBILE HOME IN THE A-5 DISTRICT IS PERMITTED ONLY AS A LIMITED USE BY SPECIAL EXCEPTION. THIS APPLICATION REPRESENTS A REQUEST FOR AN EXTENSION OF THE 	

		PREVIOUSLY GRANTED SPECIAL EXCEPTION.			
ZONING & FLU		DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
		SITE	A-5	RURAL-5	MOBILE HOME
		NORTH	A-5	RURAL-5	AGRICULTURE
		SOUTH	A-5	RURAL-5	VACANT
		EAST	A-5	RURAL-5	VACANT
		WEST	A-5	RURAL-5	SINGLE-FAMILY
STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)		THE BOARD OF ADJUSTMENT (BOA) SHALL HAVE THE POWER TO HEAR AND DECIDE SPECIAL EXCEPTIONS IT IS SPECIFICALLY AUTHORIZED TO PASS UNDER THE TERMS OF THE LAND DEVELOPMENT CODE UPON DETERMINATION THE USE REQUESTED:			
		<u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u>			
		THE CONTINUED PLACEMENT OF THE EXISTING MOBILE HOME BEYOND THE ORIGINAL FIVE YEAR APPROVAL PERIOD WOULD NOT BE INCOMPATIBLE WITH THE ESTABLISHED TREND OF VACANT AGRICULTURAL AND LOW-DENSITY SINGLE-FAMILY DEVELOPMENT ON NEARBY AND ADJACENT PARCELS.			
		<u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u>			
		SINCE THE EXISTING USE IS A SINGLE-FAMILY UNIT THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.			
		<u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u>			
		THE REQUEST WOULD BE CONSISTENT WITH THE TREND OF LOW-DENSITY SINGLE-FAMILY LAND USE ESTABLISHED IN THIS AREA, WHICH INCLUDES CONVENTIONAL SINGLE-FAMILY HOMES AND MOBILE HOMES. FOR THIS REASON, THE CONTINUED PLACEMENT OF A MOBILE HOME WOULD BE CONSISTENT WITH THE TREND OF ESTABLISHED LAND USE IN THIS AREA.			
		<u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u>			
		THE SUBJECT PROPERTY MEETS THE MINIMUM SIZE AND DIMENSIONAL REQUIREMENTS OF THE A-5 DISTRICT.			

		<p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>THE SUBJECT PROPERTY IS CURRENTLY OCCUPIED BY A MOBILE HOME, APPROVED FOR A FIVE YEAR PERIOD BY THE BOA IN 1986. AT PRESENT THE TREND OF DEVELOPMENT IN THE IMMEDIATE AREA INCLUDES CONVENTIONAL AND MOBILE HOMES. IN LIGHT OF THIS, STAFF BELIEVES THE REQUESTED TWO YEAR PLACEMENT OF THE PROPOSED USE WOULD BE CONSISTENT WITH THE CURRENT CHARACTER OF SINGLE-FAMILY HOMES IN THE AREA.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (AGRICULTURE DISTRICT);</p> <p>SECTION 30.104(a)</p>	<p>LDC</p>	<p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) UPON MAKING FINDINGS OF FACT, IN ADDITION TO THOSE REQUIRED BY SECTION 30.43(B)(2) OF THE LAND DEVELOPMENT CODE, THAT THE USE:</p> <p><u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT):</u></p> <p>THE TEMPORARY PLACEMENT OF THE EXISTING MOBILE HOME IS A CONDITIONAL USE IN THE A-5 DISTRICT. THE EXISTING MOBILE HOME COMPLIES WITH THE SITING STANDARDS ENUMERATED IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE, WHICH ARE INTENDED TO MINIMIZE POTENTIAL INCOMPATIBILITY WITH NEARBY CONVENTIONAL SINGLE-FAMILY HOMES AS FOLLOWS:</p> <ul style="list-style-type: none"> ○ THE EXISTING MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS. ○ THE EXISTING MOBILE HOME SHALL BE REQUIRED TO CONFORM TO APPLICABLE CODES, WHICH INCLUDE STANDARDS FOR INSTALLATION, ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING. <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>THE REQUEST IS NOT HIGHLY INTENSIVE IN NATURE, AS THE EXISTING MOBILE HOME IS PERMITTED FOR SINGLE-FAMILY OCCUPANCY.</p> <p><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES:</u></p> <p>THE SUBJECT PROPERTY IS SERVED BY ON-SITE SEPTIC AND WELL SYSTEMS. OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, ARE ALSO AVAILABLE TO THE SITE.</p>
<p>MOBILE HOME AS A</p>	<p>A</p>	<p>TEMPORARY OCCUPANCY OF A MOBILE HOME SHALL BE</p>

<p>LIMITED USE (SPECIAL EXCEPTION IN) THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT);</p> <p>SECTION 30.103</p>	<p>PERMITTED IN RURAL AREAS OF THE COUNTY WHILE A PERMANENT DWELLING IS UNDER CONSTRUCTION, SUBJECT TO THE FOLLOWING REQUIREMENTS:</p> <ul style="list-style-type: none"> ○ THE RESIDENCE SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE MOBILE HOME IS ON THE PROPERTY. ○ PLACEMENT OF THE MOBILE HOME SHALL BE LIMITED BY THE BOA. ○ THE MOBILE HOME SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL INSPECTION OF THE RESIDENCE. ○ THE EXISTING MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, WHICH INCLUDE STANDARDS FOR ANCHORING AND SKIRTING.
<p>STAFF FINDINGS:</p>	<p>SPECIAL EXCEPTIONS WITHIN ANY ZONING DISTRICT ARE GENERALLY GRANTED PERMANENTLY. HOWEVER, WITH RESPECT TO MOBILE HOMES, SECTION 30.103 OF THE LAND DEVELOPMENT CODE PROVIDES THE ABILITY FOR THE BOA IN ITS SOUND DISCRETION TO PLACE REASONABLE CONDITIONS AND LIMITATIONS, WHICH ARE NECESSARY TO PROTECT THE CHARACTER OF AN AREA AND ARE IN FURTHERANCE OF THE PUBLIC INTEREST. THEREFORE, THE BOA SHOULD GIVE PRIMARY CONSIDERATION TO EITHER GRANTING PERMANENT STATUS OR DENYING THE REQUEST, BASED UPON THE FOLLOWING FACTORS:</p> <p><u>COMPATIBILITY & DEVELOPMENT TRENDS IN THE AREA (CONVENTIONAL VS. MOBILE HOMES); AND</u></p> <p>AT THE TIME THE EXISTING MOBILE HOME WAS APPROVED BY SPECIAL EXCEPTION IN 1986, STAFF RECOMMENDED APPROVAL OF THE REQUEST FOR A PERIOD NOT TO EXCEED FIVE YEARS BASED ON AN ESTABLISHED TREND OF MOBILE HOME DEVELOPMENT IN THE AREA. STAFF'S RECOMMENDATION FOR TEMPORARY PLACEMENT WAS INTENDED TO ALLOW THE LONG-TERM MONITORING OF DEVELOPMENT TRENDS IN THE AREA.</p> <p>THE CURRENT TREND OF DEVELOPMENT IN THE AREA IS MOSTLY COMPRISED OF CONVENTIONAL AND MOBILE HOME SINGLE-FAMILY DEVELOPMENT, AS WELL AS VACANT AGRICULTURAL TRACTS. FOR THIS REASON, THE CONTINUED PLACEMENT OF A MOBILE HOME ON THE SUBJECT PROPERTY WOULD BE CONSISTENT WITH THE TREND OF DEVELOPMENT IN THE AREA.</p> <p><u>PREVIOUS BOA DECISIONS</u></p>

	<p>AS PREVIOUSLY STATED, THE EXISTING MOBILE HOME WAS APPROVED FOR A PERIOD OF FIVE YEARS BY THE BOA IN 1986.</p> <p>AVAILABLE RECORDS SUGGEST THE BOA HAS LARGELY REGARDED THE IMMEDIATE VICINITY AS AN AREA IN TRANSITION TOWARD CONVENTIONAL, SITE-BUILT, SINGLE-FAMILY HOUSING. FOR THIS REASON, SEVERAL MOBILE HOME REQUESTS HAVE BEEN APPROVED FOR LIMITED TIME PERIODS, GENERALLY RANGING FROM TWO TO TEN YEARS.</p>
STAFF RECOMMENDATION:	<p>FOR THE REASONS STATED ABOVE, INCLUDING THE TREND OF CONVENTIONAL SINGLE-FAMILY DEVELOPMENT IN THE AREA AND THE BOA'S HISTORY OF IMPOSING REASONABLE RESTRICTIONS (TIME LIMITS) ON MOBILE HOME OCCUPANCY PERMITS ON NEARBY SITES TO PROTECT NEIGHBORHOOD CHARACTER, STAFF RECOMMENDS APPROVAL OF THIS REQUEST SUBJECT TO THE FOLLOWING CONDITIONS, WHICH APPLIED AT THE TIME OF THE ORIGINAL SPECIAL EXCEPTION:</p> <ul style="list-style-type: none">○ AN APPROPRIATE BUILDING PERMIT, AS REQUIRED BY THE COUNTY, SHALL BE SECURED TO ALLOW THE CONTINUED PLACEMENT AND OCCUPANCY OF THE EXISTING MOBILE HOME.○ THE RESIDENCE SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE EXISTING MOBILE HOME IS ON THE PROPERTY.○ THE CONTINUED OCCUPANCY OF THE EXISTING MOBILE HOME SHALL BE LIMITED TO TWO (2) YEARS.○ THE EXISTING MOBILE HOME SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL INSPECTION OF THE RESIDENCE.○ THE EXISTING MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS.○ THE EXISTING MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, WHICH INCLUDE STANDARDS FOR ANCHORING AND SKIRTING.



**MOBILE HOME
APPLICATION TO THE BOARD OF ADJUSTMENT
SEMINOLE COUNTY**

PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FLORIDA 32771
Phone: (407) 665-7444 Fax: 665-7385

☒ NEW APPLICATION
☒ RENEWAL
☒ REINSTATEMENT
☐ MEDICAL HARDSHIP

☒ Existing (Undocumented)

APPLICANT: ANTHONY ST. GEORGE

MAILING ADDRESS: 378 SCOOTER PT

CITY: GENEVA STATE: FLA ZIP CODE: 32732

PHONE: WORK 407 349 9537 HOME 407 349 2539 FAX _____

OWNER OF PROPERTY: ANTHONY ST. GEORGE

STREET ADDRESS OF SUBJECT PROPERTY: 378 SCOOTER PT

TAX PARCEL I.D. NUMBER: 09-20-32-301-0140-0000

LEGAL DESCRIPTION OF PROPERTY: LEG SEC 09 TWP 20 S RGE 32E

BEG 1184.94 FT W OF NE COR RUN S 26 DEG 4 MIN 36 SEC W

DIRECTIONS TO PROPERTY: 740.18 FT W 165 FT N 165.93 SEC E 490 FT TO BEG

LOT SIZE: 5 ACRES

PLEASE ANSWER THE FOLLOWING QUESTIONS.

1. The Mobile home is: ☒ Existing ☐ Proposed ☐ Replacement of existing mobile home
2. Who is the mobile home for? ANTHONY ST. GEORGE FAMILY
3. Year of mobile home: 1992 Size of mobile home: 24x60
4. Anticipated length of time mobile home is needed: 2 YRS
5. Are you planning to build? YES If so, when? IMMEDIATELY

EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING SUBMITTALS:

- ☐ Application fee.
- ☐ Copy of site plan indicating the information requested on page 3.
- ☐ Copy of legal description from Property Appraisers Office with the tax parcel I.D. no.
- ☐ Letter of Authorization from the property owner granting permission to apply for the Special Exception.
- ☐ Medical Hardship applications shall be accompanied by a letter from a doctor substantiating the illness.

NOTE: Completion of the application form is considered to be of importance. Careful thought and correct answers should be given since many of the same questions may be asked at the hearing.

SIGNATURE OF APPLICANT [Signature] DATE 9-9-03

FOR OFFICE USE ONLY

FURTHER DESCRIBED AS: call ahead has a gate dog

ZONING DISTRICT: A-5-R-5

FLOOD PRONE REVIEW: _____ LOT SIZE / WIDTH VARIANCE: yes / no

PROCESSING:

FEE: 185⁰⁰ Check 298 DATE 0 RECEIPT NO. _____

A. LEGAL AD TO NEWSPAPER _____ / _____

D. BOARD ACTION / DATE _____ / _____

B. PLACARDS / NOTICE _____ / _____

E. LETTER TO APPLICANT _____

C. NOTICE TO PROPERTY OWNERS _____

COMMENTS: _____

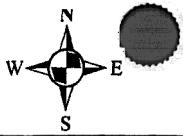
Past Applications:

1. BA96-10-108TE
2. _____
3. _____
4. _____

COMMISSION DISTRICT: 5

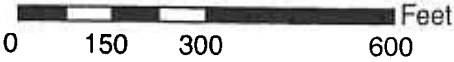
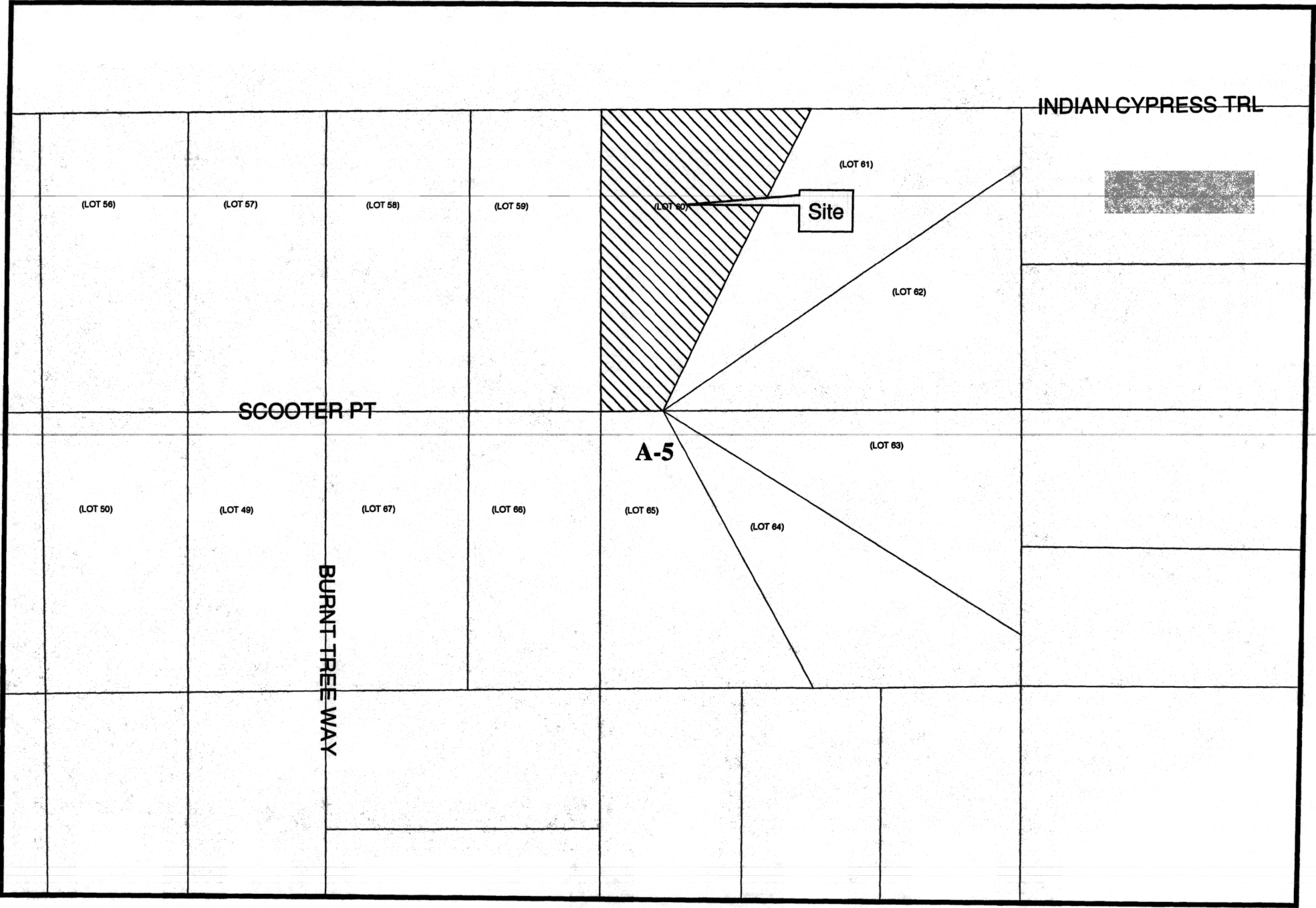
FILE NO. Bm 2003-016

MEETING DATE Oct 27, 2003



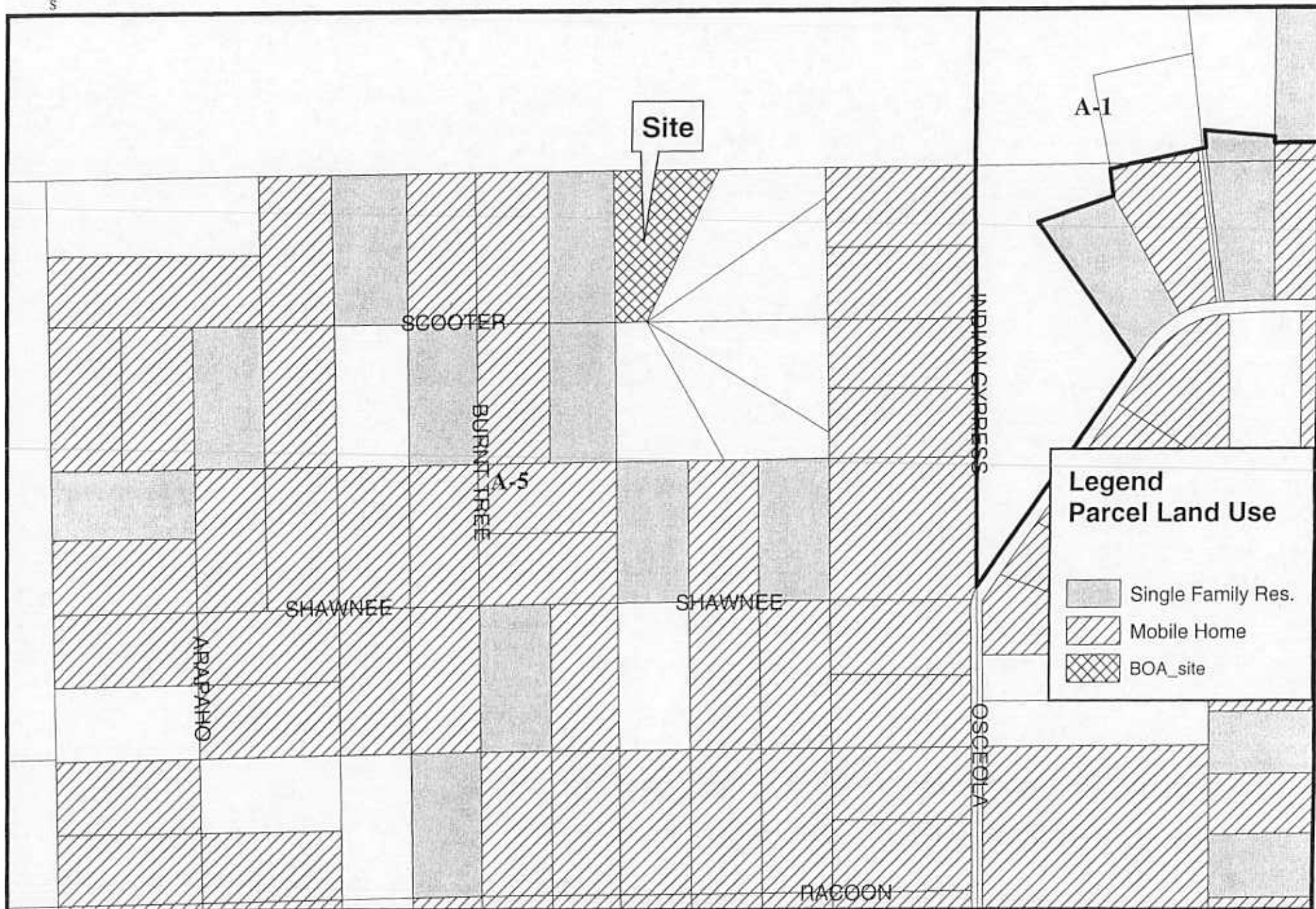
Anthony St. George

370 Scooter Point





Anthony St. George
370 Scooter Pt.



0 225 450 900 Feet

BM2003-016

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 27, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 09 TWP 20S RGE 32E BEG 1184.94 FT W OF NE COR RUN S 26 DEG 6
MIN 36 SEC W 740.18 FT W 165

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owners: ANTHONY ST. GEORGE
370 SCOOTER POINT
OVIEDO FL 32765

Project Name: 370 SCOOTER POINT

Requested Development Approval:

REQUEST FOR SPECIAL EXCEPTION FOR THE TEMPORARY PLACEMENT OF
A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT)
FOR TWO YEARS.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: FRANCISCO TORREGROSA
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- A. AN APPROPRIATE BUILDING PERMIT, AS REQUIRED BY THE COUNTY, SHALL BE SECURED TO ALLOW THE CONTINUED PLACEMENT AND OCCUPANCY OF THE EXISTING MOBILE HOME.
- B. THE RESIDENCE SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE EXISTING MOBILE HOME IS ON THE PROPERTY.
- C. THE CONTINUED OCCUPANCY OF THE EXISTING MOBILE HOME SHALL BE LIMITED TO TWO (2) YEARS.
- D. THE EXISTING MOBILE HOME SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL INSPECTION OF THE RESIDENCE.
- E. THE EXISTING MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS.
- F. THE EXISTING MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, WHICH INCLUDE STANDARDS FOR ANCHORING AND SKIRTING.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: